

**Chadds Ford Township Board of Supervisors Meeting
November 2, 2005
M I N U T E S**

OFFICIALS PRESENT: George M. Thorpe, Chairman
Deborah Love D'Elia, Vice Chairman
Garry Paul, Supervisor
Hugh A. Donaghue, Township Solicitor
James C. Kelly, Township Engineer
Richard J. Jensen, Building Inspector/CEO
Maryann D. Furlong, Secretary/Treasurer

CALL TO ORDER – REGULAR MEETING

The regular meeting of the Board of Supervisors was called to order at 7:31 PM. The Pledge of Allegiance was recited and emergency exits were identified.

STATE POLICE REPORT

Trooper Reilly of the Pennsylvania State Police, Media Barracks, reported that the police had responded to 138 incidents in Chadds Ford Township during October. The most noted were three commercial burglaries: one in Painters Crossroads Shopping Center, one at Enzo's Pizza and the other in what was determined to be Concord Township. Trooper Reilly also reported five thefts from vehicles in various parking lots around the Township.

APPROVAL OF MINUTES – October 5, 2005

Minutes of the October 5, 2005 meeting were circulated. Mr. Thorpe made various corrections.

MOTION TO APPROVE BOARD OF SUPERVISOR MINUTES OF October 5, 2005

Upon motion and second (D'Elia, Paul), the Board approved minutes of the October 5, 2005 meeting, draft of 10.31.05, as revised.

REPORTS

SUPERVISORS' REPORT

Mr. Thorpe announced the meetings during September where two or more Supervisors were present:

- On 10/20/05 Mr. Paul and Mrs. Love D'Elia met with PennDOT officials, Richard Jensen and the applicant regarding proposed development in the area of the Chadds Ford Inn;
- On 10/26/05 all three Supervisors met on personnel matters and started to accumulate information for preparation of the 2006 budget;
- On 10/28/05 Mr. Thorpe and Mr. Paul continued 2006 budget work.

RACHEL KOHL COMMUNITY LIBRARY

A faxed report was received and reviewed by the Board.

TREASURER'S REPORT

Mrs. Furlong reported the following figures for the month of October, 2005:

Total deposits to General Fund:	\$	36,766.03
Total disbursements General Fund:	\$	194,443.38
Escrow disbursements	\$	31,522.26
Cash Accounts Balances	\$	741,593.61

MOTION TO APPROVE TREASURER'S REPORT

Upon motion and second Paul, Thorpe), the Supervisors unanimously voted to approve the Treasurer's Report for October, 2005, and authorized payment of bills in the amount of \$194,443.38.

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FIRE MARSHALL

Mr. Wenrich was not present, but asked Mr. Thorpe to report that he has started performing inspections. An inspection form was designed to insure uniform information. Mr. Wenrich has received numerous calls on burning issues.

EMERGENCY MANAGEMENT COORDINATOR

Sharon Wenrich recently returned from being out of the country and was not at the meeting, however, she asked Mr. Thorpe to announce the receipt of a Hibernia Dam Emergency Action Plan from Chester County. A portion of Chadds Ford Township falls within the emergency area. Mrs. Wenrich will advise if the Township needs to do anything further.

ROADMASTER'S REPORT

Joe Barakat, Township Roadmaster, was not present at the meeting. Mrs. Love D'Elia read the Roadmaster's monthly status report dated October 31, 2005. . A copy follows.

Mrs. Reardon mentioned an uneven edge at the intersection of Foxtrail Lane and Tally Ho Drive and was concerned that a snow plow might cause damage to the newly resurfaced road. Mrs. Love D'Elia will ask Mr. Barakat to contact Kelly Engineers to resolve the problem.

BUILDING INSPECTOR/CODE ENFORCEMENT OFFICER

Mr. Jensen presented the Building Inspector/Code Enforcement Officer's report for the month of October. A written report and accompanying checks were submitted.

District Justice Cappelli issued a decision in the firework violation case. The Township was awarded \$1,000 and \$500 in legal fees. Mr. Donaghue suggested postponing any further action until the December Board of Supervisors meeting to see if an

appeal is filed by the Defendant.

TOWNSHIP ENGINEER

Mr. Kelly presented the Engineer's report dated November 2, 2005. A copy follows the minutes. The Township Engineer suggested a payment to Couzins, Inc., for work completed on the Heyburn Road and Tally Ho Drive culvert replacement. Mr. Kelly also suggested the final release of a security improvement escrow release for the Cornerstone Development.

MOTION TO APPROVE PAYMENT TO COUSZINS, Inc. – Culvert Replacement

Upon motion and second (D'Elia, Paul), the Board of Supervisors approved payment in the amount of \$13,492.40 to Couzins, Inc., for work completed on the Heyburn Road and Tally Ho Drive culvert replacement project.

MOTION TO APPROVE FINAL RELEASE OF IMPROVEMENT SECURITY ESCROW – Cornerstone

Upon motion and second (D'Elia, Paul), the Board of Supervisors approved the final release of the improvement security escrow for the Cornerstone Development on Webb Road in the amount of \$8,494.93

CIVIC ASSOCIATION CLEAN UP DAY

Mr. Thorpe thanked all those who helped cleanup the Township on October 15, 2005 and to the Civic Association for sponsoring the day.

PLANNING COMMISSION

Mr. Taylor, Planning Commission Chairman, read from a draft of minutes for the meeting held Wednesday, October 12, 2005.

ZONING HEARING BOARD

Mr. Wandersee stated that no applications were scheduled for October, thus no meeting. The Zoning Hearing Board will meet on the third Wednesday of November.

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HARB

Mr. Jensen reported that HARB members did not meet during October. An application was recently received by the Chadds Ford Inn and is scheduled for December 7, 2005.

SEWER AUTHORITY

Mrs. Taylor presented the Sewer Authority report for Chairman Vince DelRossi who

was not present. A copy of the report follows.

OPEN SPACE COMMITTEE

Mrs. Debbie Reardon submitted a written report for October 13, 2005. A report follows.

TOWNSHIP PROPERTIES COMMITTEE

A meeting was not held during October.

FINANCIAL ADVISORY BOARD

Mrs. Love D'Elia anticipates a proposal to be forthcoming from MervesAmon&Barsz regarding the 2005 audit.

PUBLIC COMMENT

Mrs. Debbie Reardon, Tally Ho Drive, noted that at times stop "lines" are painted beyond stop signs to improve the line of sight and suggested that PennDOT do so at the intersections of Ridge and Heyburn Roads. Pictures were submitted for the Board's review. Mr. Paul will pass the information on to Joe Baraket for discussion with PennDOT.

Peter Cona, 2 Ridings Way, said that a number of residents were in attendance seeking updated information on the Ridge Road subdivision application and related stormwater issues. Mr. Donaghue said that the application was removed from the agenda due to unresolved stormwater issues and that there is concern that estimates of volume and flow calculations from the commercial portion of the tract (Concord Township) have not been incorporated into the stormwater analysis information submitted to Chadds Ford Township thus far.

Mr. Kelly reviewed a memo dated October 18, 2005 from Kevin Matson, Kelly Engineers, and added that the applicant was told the most stringent Township ordinance would govern. Mr. Paul suggested that such an understanding should be memorialized in the agreements.

Mrs. Love D'Elia questioned the timing of the subdivision/land development approvals between Chadds Ford and Concord Townships. Mr. Donaghue cautioned that once preliminary approval is granted, the Township won't be able to do much with stormwater issues.

It was suggested that Ridge Road Associates make presentation to the Board of Supervisors regarding the potential effect of the commercial tract upon Chadds Ford. Mr. Donaghue will draft a letter to the applicant's attorney and advise him of the Supervisors' concerns and will also contact Concord Township regarding an intermunicipal agreement. Mr. Paul would also like to have an understanding with Concord Township as to uniform requirements.

Richard Cruz, 9 Ridings Way, commented on drainage from the corner of Ridge Road and Route 202. Martha Frost, also from Ridings, expressed concern over protection of the wetlands from silt and asked what steps will be taken to prevent damage. Mr. Jensen said that both DEP and the Delaware County Conservation District regulations will govern protection of any wetland areas.

OLD BUSINESS

Proposed revisions to the Noise Ordinance have been sent to Delaware County

Planning for comment. The Supervisors will consider the ordinance for adoption at the December Board meeting. Mr. Donaghue suggested postponing any legal advertising until comments are received from Delaware County.

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MOTION TO AUTHORIZE TO LEGAL ADVERTISEMENT - PROPOSED AMENDMENTS TO NOISE ORDINANCE 81

Upon motion and second (D'Elia, Thorpe) the Board directed the Township Secretary to take steps necessary to advertise the scheduling of a public hearing on Wednesday, December 7, 2005, to take public comment on the proposed ordinance.

Mrs. Love D'Elia thanked all Planning Commission members for their extensive work on the ordinance.

CALVARY CHAPEL CONDITIONAL USE APPLICATION

Mr. Thorpe reported that the conditional use hearing concluded on October 20, 2005. The official transcript is expected shortly. Mr. Paul and Mr. Thorpe will schedule a special meeting to announce the decision.

NEW BUSINESS

REAFFIRMATION OF PRELIMINARY/FINAL LAND DEVELOPMENT – OLD RIDGE VILLAGE

In order to comply with requirements of the Municipal Planning Code, the applicant for the Old Ridge Village project has asked the Board to reaffirm the approval previously granted on April 1, 2004 and reaffirmed once before on July 11, 2005.

RESOLUTION 2005-24 TO REAFFIRM PRELIMINARY/FINAL LAND DEVELOPMENT PLAN – OLD RIDGE VILLAGE

Upon motion and second (D'Elia, Thorpe), the Supervisors reaffirmed approval of the land development application of Old Ridge Village, subject to the thirteen conditions and two waivers as set forth therein.

COMMUNITY RESOURCES CONSERVATION PLAN

Mrs. Love D'Elia announced that Planning Commission members have submitted a Community Resources Conservation Plan that is the beginning of the process that will allow the Township to move forward with the Open Space initiative. Mr. Donaghue added that in order for Township to utilize monies from taxes a plan must be in place. Mrs. Reardon, Open Space Chair, questioned the appointment of an additional committee to

move forward with “at large” members. Mrs. Reardon also stated that the plan must be done properly to preserve eligibility for grants and the Townships needs a professional consultant to do so. Mr. Thorpe suggested that Open Space members meet with the Supervisors in order to plan future steps.

MOTION TO APPROVE COMMUNITY RESOURCES CONSERVATION OUTLINE

Upon motion and second (D’Elia, Thorpe), Mr. Thorpe and Mrs. Love D’Elia approved the Community Resource Conservation Outline final draft dated 10/25/05. Mr. Paul voted against approval.

DRAFT 2006 PRELIMINARY BUDGET

Copies of a draft 2006 preliminary budget were distributed. The proposed budget reflects a bottom line deficit of approximately \$10,800.80. The Board is suggesting an eight percent tax increase for general fund millage in order to budget for future by setting money aside for costs of future infrastructure upgrades. Board members are also considering a fire hydrant tax. Mr. Paul suggested that the real estate transfer tax income may be more than budgeted. Increased expenses for the new Town Hall were included.

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MOTION TO AUTHORIZE LEGAL ADVERTISEMENT – 2006 PROPOSED BUDGET

Upon motion and second (Paul, D’Elia) the Board of Supervisors authorized the Township Secretary to place a legal advertisement stating that the proposed 2006 budget will be available for public review for a period of twenty days prior to consideration of adoption on December 7, 2005.

ESCROW RELEASES

Mrs. Love D’Elia reviewed purposed escrow releases for the Board’s consideration as follows:

Applicant	Type of Escrow	Original Amount	Amount
Refunded			
Kenneth Braithwaite	BOS Appeal	\$ 900.00	\$ 724.50
Chadds Ford Twp	Reimbursement for o/s bills/Braithwaite		\$ 175.50
PW Design	BOS Appeal	\$900.00	\$ 724.50
Chadds Ford Twp	Reimbursement for o/s bills PW Design		\$ 175.50

Newlin Homes	SD?LD Application	\$4325.00	\$ 4417.79
Anthony Sylvan/Hndrxs	Grading	\$800.00	\$ 800.00
MJC Development	Grading/680 Webb	\$800.00	\$ 800.00
Newlin Homes	Grading/342 Ring	\$800.00	\$ 800.00
Lagoy and Lyons	ZHB/Wawa	\$700.00	\$ 475.79
Chadds Ford Twp	Reimbursement for o/s bills/Wawa		\$ 224.21
Fisher Carpet One	Conditional Use	\$900.0	\$ 741.94
Chadds Ford Twp	Reimbursement for o/s bills/Fisher		\$ 203.70
Suzann L. Sbandi	Lot Line Change	\$850.00	\$ 850.00
Rosanne Foley	ZHB Escrow	\$750.00	\$ 653.60
Chadds Ford Twp	Reimbursement for o/s bills/Foley		\$ 96.40
Dickinson	Lot Line Change	\$850.00	\$ 578.32
Chadds Ford Twp	Reimbursement for o/s bills/Dickinson		\$ 271.68
Keenan Auto Body	ZHB Escrow	\$900.00	\$ 662.79
Chadds Ford Twp	Reimbursement for o/s bills/Keenan		\$ 237.21
Designed Realty	Imprvment Secrty		\$9414.00

MOTION TO APPROVE ESCROW RELEASES

Upon motion and second (D'Elia, Paul), the escrows listed above were approved for release.

CALVARY CHAPEL CONDITIONAL USE DECISION ANNOUNCEMENT DATE

Mr. Thorpe stated that a special meeting to announce a decision on the Calvary Chapel Conditional Use Application will be held on Wednesday, November 16, 2005 at 7:00 PM, Town Hall.

ADJOURNMENT

There being no further business, the meeting was adjourned at 9:20 PM.

Respectfully submitted,

MARYANN D. FURLONG,
Township Secretary